

BEFORE THE  
PUBLIC UTILITY COMMISSION OF OREGON

In the Matter of	)	UE 267
	)	
PACIFICORP, dba PACIFIC POWER,	)	PETITION TO INTERVENE
	)	
Transition Adjustment, Five-Year Cost-of-	)	
<u>Service Opt-Out</u>	)	

Constellation NewEnergy, Inc. hereby petitions the Public Utility Commission of Oregon (“Commission”), pursuant to ORS § 756.525 and OAR 860-001-0300, for leave to intervene herein and to appear and participate herein as a party, and as grounds therefore states as follows:

1. The name and address of this Intervenor is:

Constellation NewEnergy, Inc.  
Attn: Mary Lynch  
5074 Nawal Drive  
El Dorado Hills, California 95762  
Telephone: (916) 606-0783

[Mary.lynch@constellation.com](mailto:Mary.lynch@constellation.com)

2. This Intervenor, Constellation NewEnergy, Inc. may be represented by counsel in this proceeding at a future time. At this point, the contact information for the authorized representative is below:

Constellation NewEnergy, Inc.  
Attn: Mary Lynch  
5074 Nawal Drive  
El Dorado Hills, California 95762  
Telephone: (916) 606-0783

[Mary.lynch@constellation.com](mailto:Mary.lynch@constellation.com)

3. Copies of all pleading, production requests, production responses, Commission orders and other documents should be provided to the following:

John Domagalski  
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4. This Intervenor, Constellation NewEnergy, Inc. is a national provider of retail energy services, including in the State of Oregon, and is a certified electricity service supplier (“ESS”) under Oregon law and regulations. *See* Order No. 02-031; Order No. 02-077.

Constellation NewEnergy, Inc. claims a direct and substantial interest in this proceeding because its ability to provide retail energy services in the State of Oregon will be affected by the outcome of this proceeding.

5. This Intervenor, in its capacity as an active energy retail services provider intends to participate herein as a party, and be heard in argument. The nature and quality of evidence which this Intervenor will introduce is dependent upon the nature and effect of other evidence in this proceeding.

6. Without the opportunity to intervene herein, this Intervenor would be without any means of participation in this proceeding which may have a material impact on its business activities in the State of Oregon.

7. Granting this Intervenor's petition to intervene will not unduly broaden the issues nor will it prejudice any party to this case.

**WHEREFORE**, Constellation NewEnergy, Inc. respectfully requests that this Commission grant its Petition to Intervene in this proceeding and to appear and participate in all matters as may be necessary and appropriate.

DATED this 3<sup>rd</sup> day of May, 2013

MARY LYNCH

A handwritten signature in blue ink that reads "Mary Lynch" followed by a circled "amp" symbol.

Mary Lynch  
Vice President, State Government Affairs  
Constellation NewEnergy, Inc.  
5074 Nawal Drive  
El Dorado Hills, CA 95762  
Telephone: (916) 606-0783

[Mary.lynch@constellation.com](mailto:Mary.lynch@constellation.com)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 3rd day of May, 2013, a true and correct copy of the foregoing **CONSTELLATION NEWENERGY, INC.'S PETITION TO INTERVENE** was served by electronic mail on Presiding Administrative Law Judge Traci A. G. Kirkpatrick and all persons listed on the official service list maintained by the Commission in Docket No. UE 267. A copy of the service list is attached hereto.

Signed by:



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Sue M. Pote

US\_WEST 803751231.1

**Summary Report****UE 267      PACIFIC POWER****Category:** Electric Rate Case**Filed By:** PACIFIC POWER

This filing provides a five-year opt-out program to qualified customers.

**Filing Date:** 2/28/2013      **Advice No:** 13-004**Effective Date:** 1/1/2014      **Expiration Date:** 12/31/2013      **Status:** SUSPENDED**Final Order:**      **Signed:** 2/28/2013**SERVICE LIST:**

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**Summary Report**

**UE 267 PACIFIC POWER**

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